

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

REBECCA MOSTELLAR,

Defendant

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CRIMINAL NO. 04-00136-CG

FINAL JUDGMENT OF FORFEITURE

On March 4, 2005, this court entered an Order of Forfeiture, ordering defendant Rebecca Mostellar to forfeit \$350,000.00 as a money judgement for her criminal activities, and

On March 8, 2005, the court entered an Order of Forfeiture to Certain Substitute Property, the court finding that the full amount of \$350,000.00 cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with a third party; has been placed beyond the jurisdiction of this court; and/ or has been commingled with other property which cannot be divided without difficulty. As a result, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure and Title 18, United States Code, § 982, as that statute incorporates the provisions of Title 21, United States Code, § 853(p), the court ordered that the United States is entitled to an order forfeiting other property belonging to the defendant as a substitute for the personal money judgement. Accordingly, the court ORDERED that all rights, title and interest of the defendant, Rebecca Mostellar in the following property be forfeited to the United States for disposition according to law:

- a. Compass Bank Account No. 10337674 in the name of Rebecca Mostellar;
- b. One 1997 BMW, VIN WBADD632XVBW15735 registered in the name of the defendant;

- c. Compass Bank Account No. 0011155529 in the name of Rebecca Mostellar and / or Willard T. Autrey;
- d. Compass Bank Account No. 10338034 in the name of Rebecca Mostellar and / or Willard T. Autrey;
- e. Compass Bank Account No. 11155510 in the name of Rebecca Mostellar and / or Willard T. Autrey;

On May 25, 2005 Jesse A. Hooker filed a defective claim on the 1997 BMW, VIN WBADD632XVBW15735. On May 15, 2007 the court dismissed Mr. Hooker's claim for the BMW automobile on the basis he failed to comply with the court's order by failing to timely file a proper petition.

No other third-parties have come forward to assert an interest in the subject property in the time required under Title 18, United States Code, § 982.

Accordingly, it is hereby **ORDERED, ADJUDGED, and DECREED** that pursuant to Title 18, United States Code, § 982, the following substitute assets are forfeited to the United States:

- a. Compass Bank Account No. 10337674 in the name of Rebecca Mostellar;
- b. One 1997 BMW, VIN WBADD632XVBW15735 registered in the name of the defendant;
- c. Compass Bank Account No. 0011155529 in the name of Rebecca Mostellar and / or Willard T. Autrey;
- d. Compass Bank Account No. 10338034 in the name of Rebecca Mostellar and / or Willard T. Autrey;
- e. Compass Bank Account No. 11155510 in the name of Rebecca Mostellar and / or Willard T. Autrey;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United

States of America and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the court shall retain jurisdiction in the case for the purpose of enforcing this Order. The Clerk of Court shall forward two certified copies of this Order to Assistant United States Attorney, George F. May.

DONE and **ORDERED** this 3rd day of July, 2007.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE